

AO 91 (Rev. 11/11) Criminal Complaint

FILED
 UNITED STATES DISTRICT COURT
 LAS CRUCES, NEW MEXICO

UNITED STATES DISTRICT COURT

JAN 23 2024

for the

District of New Mexico



MITCHELL R. ELFERS
 CLERK OF COURT

United States of America

v.

Chloe Anneliese Lucero

Case No.

24-86MJ

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 22 January 2024 in the county of Dona Ana in the
District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18, U.S.C. 875(c)	Interstate Threats

This criminal complaint is based on these facts:
 See Affidavit

☐ Continued on the attached sheet.

Complainant's signature

Special Agent David Aucoin

Printed name and title

Sworn to before me by telephone.
~~and signed in my presence.~~

Date: 1/23/24

Judge's signature

City and state: Las Cruces, New Mexico

The Hon. Gregory J. Fouratt, US Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, David Wayne Aucoin, being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of a criminal complaint that on or about December 21, 2023, and January 20, 2024, in Doña Ana County, New Mexico, and elsewhere Chloe Anneliese LUCERO, transmitted a communication in interstate commerce to knowingly make threats to injure the person of others, including by implementing lethal force in violation of Title 18, United States Code, Section 875(c).

2. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since June 2021. I am currently assigned to the Albuquerque Field Office, Las Cruces Resident Agency, which is responsible for investigating a myriad of crimes, including violent crimes, drug trafficking, money laundering, and public corruption. As a Special Agent, I investigate criminal offences of federal law. Through my training, experience, and discussions with other law enforcement officers who have extensive experience in similar investigations, I have become familiar with the tactics and methods used by criminals engaging in various violations of law. As a federal agent, I am authorized to investigate violations of the laws of the United States, and as a law enforcement officer, I am authorized to execute warrants issued under the authority of the United States.

3. I have participated in investigations of drug distribution, firearms trafficking, gang/criminal enterprises, and violent crimes, as well as investigations pertaining to the possession of firearms by prohibited persons. I have also participated in investigations pertaining to interstate threatening communications. My investigative training and experience includes, but is not limited to, conducting surveillance, interviewing subjects, targets and witnesses, writing

affidavits for and executing search and arrest warrants, managing cooperating sources, issuing subpoenas, and analyzing public records. I have also participated in the execution of warrants involving the search and seizure of electronic devices such as computers, laptops, tablets, digital cameras, cell-phones and/or “smart-phones,” peripheral equipment and storage media related to these devices (e.g. external hard-drives, thumb-drives, MicroSD cards, CDs and DVDs, etc.), as well as the data and information stored therein. I have conferred with other agents who are familiar with explosives and explosive material.

4. The information contained herein is based upon my own investigation as well as information supplied to me by other duly sworn law enforcement officers, and does not contain all information known by me, only facts for consideration of probable cause.

Probable Cause

5. LUCERO has either contacted the FBI directly or been referred to the FBI by another agency multiple times between early 2019 and late 2023.

6. Specifically, in 2019, LUCERO contacted the FBI Las Cruces Resident Agency to report that she had reason to believe that the Central Intelligence Agency (CIA) had been extorting her and drugging her with LSD. On March 19, 2019, LUCERO was interviewed by the FBI and told agents that she has been poisoned with LSD or a “research chemical” on multiple occasions. LUCERO stated she was conducting her own investigation into a group of people within the intelligence community, particularly the CIA, that had been doing medical research on young people. LUCERO stated she believed the CIA was kidnapping children, such as the children that have gone missing as a result of the border issues the United States was facing. LUCERO stated she had contacted numerous agencies and everyone she speaks with doesn’t

listen and hangs up on her.

7. On November 12, 2019, FBI Headquarters (HQ) received a complaint letter from Chloe A. LUCERO. The contents of the letter were as follows:

- a. "I wish to file a complaint. I was stalked and drugged with LSD (and/or an analogue) multiple times over the course of several years; trying to escape Human Trafficking & Gang related activities. (Including other poisons.) USIC personnel have acknowledged being aware of or complicit in these activities. This is not my first attempt at making this complaint. I AM NOT GOING TO STOP UNTIL A CRIMINAL INVESTIGATION IS PERFORMED. THIS HAS BEEN GOING ON FOR TWENTY YEARS".

The letter is then signed "Chloe A. Lucero."

8. On April 21, 2020, the Albuquerque Division of the FBI received an approximately 92-page complaint letter from LUCERO alleging, among other things, that her civil rights were violated by the Deming Police Department, the FBI and the "USMS." The letter contained copies of numerous letters addressed to the City of Deming, Deming City Council, the Deming Police Department, the United States Attorney's Office for the District of New Mexico, the Doña Ana County Sheriff's Office and Wells Fargo Bank. There were also letters addressed to Wells Fargo Bank and Deming Police Department from an attorney.

9. On September 10, 2020, the U.S. Department of Justice (USDOJ), Civil Division, Torts Branch received an administrative tort claim dated August 15, 2020, from LUCERO, which was submitted by an attorney. The claim concerned an alleged tort involving the FBI, so USDOJ referred LUCERO to the FBI Office of the General Counsel. The associated Standard Form 95 – Claim for Damage, Injury or Death indicated the Basis for the Claim was as follows:

- a. CHLOE LUCERO HAS BEEN THE SUBJECT OF ONGOING HARASSMENT TO THIS DATE BY THE CIA AND AGENCIES OPERATING UNDER THE [sic] DEPARTMENT [sic] OF JUSTICE FOR ALMOST 20 YEARS ESPECIALLY INCLUDING BY NOT LIMITED TO THE FBI. SHE HAS BEEN REPEATEDLY SEXUALLY ABUSED, SUBJECTED INVOLUNTARILY TO CHEMICAL EXPERIMENTATION, HAD HER ACTIVITIES AND ABILITY TO WORK INTERFERED WITH, BEEN KIDNAPPED AND FOLLOWED THROUGHOUT THE US AND SOUTH AMERICA.

10. On April 17, 2022, LUCERO called the FBI National Threat Operation Center (NTOC) and stated that she had a lethal weapon and that she was going to rob a bank. LUCEROs stated that she would take this step if she was not given a lawyer to speak to regarding a six-year on-going situation involving a female friend being kidnapped. LUCERO stated that she would hold someone hostage, that the FBI knows who she was, and that she was not here to play games. LUCERO stated that she was giving the FBI until tomorrow and then terminated the call abruptly. LUCERO had previously called NTOC on April 15, 2022, and indicated she was calling from the "Camaray Hotel." The Camaray hotel is located in Oroville, Washington. The FBI National Threat Operation Center is located in West Virginia.

11. On April 18, 2022, Washington State Bar Association (WSBA) the Chief Disciplinary Counsel contacted the Seattle Division of the FBI to notify of threatening emails WSBA had received between March 23 to 26, 2022. Chief Disciplinary Counsel stated that an individual claiming to be Chloe A. Lucero, YOB: 1982, with an email address jacksmith2376@gmail.com had contacted WSBA Office of Disciplinary Counsel (ODC) to file a

grievance with ODC against a Washington lawyer, however, the threatening email messages did not relate to the alleged grievance. WSBA forwarded the email communications which included the following statements:

- a. "I'm attempting to discuss options for forming a New Government, etc. with armed militia groups."
- b. "I have committed crimes, and intend to continue committing crimes until I am appointed legal counsel."
- c. "If I am continued to be refused legal counsel,... then force will be used to assert my rights."
- d. "We are currently seeking membership with armed militia groups, to make new plans for our security, in the face of a failing State; In addition to other measures, and sanctions directed against the United States Intelligence Components, currently being deployed."
- e. "Basically on the level of shooting people in the back at this point; your 'Government.'"

12. ODC conducted background queries on the individual which revealed that ODC Lucero had filed *pro se* actions in New Mexico and Oregon, against the FBI and the United States government. According to the ODC, Lucero also appeared to be an author and published work on the website Researchgate.com. Common themes in Lucero's work included torture, interrogation, refugee issues, terrorism, and counter-insurgency doctrine.

13. On December 12, 2022, LUCERO submitted an online tip to NTOC, which was a quote said to be from "Shaykh Abu Muhammad al-'Adnani" that stated: "If you can kill a disbelieving American or European — especially the spiteful and filthy French - or an

Australian, or a Canadian, or any other disbeliever from the disbelievers waging war, including the citizens of the countries that entered into a coalition against the Islamic State, then rely upon Allah, and kill him in any manner or way however it may be. Do not ask for anyone's advice and do not seek anyone's verdict" [Indeed Your Lord Is Ever Watchful]."

14. On October 7, 2023, LUCERO sent three emails from the email address jacksmith2376@gmail.com to members of the New Mexico Court System, which contain the below quotes:

- a. The first email began, "This is Chloe Lucero writing a brief memo to let the Judge know that I will not be complying with his order that I abstain from possessing destructive devices. I will be preparing for large scale production of IED's to resolve a political conflict..." LUCERO also stated, "Hospitalizing someone is not a way to resolve legal disputes, nor did the hospital provide me with a forensic examination for the torture which is a policy of deliberate ignorance to serious human rights abuses. Furthermore I have no meaningful access to the courts after being barred by both Judge [John Doe] in the 9th Federal Court, and the 10th in Washington State; to resolve these issues."
- b. In the second email, LUCERO stated, "I have a right to use lethal force against the United States and it's [sic] protectorates. All meaningful dialogue has ceased, and the US refuses to negotiate a political statement."
- c. In the third email, LUCERO stated, "I should mention that the Judge did not allow me to say anything during the hearings but repeatedly told me to 'shut up' and turned off my mic any time I tried to speak. So this is what happens when you don't do your fucking jobs, people die. Courts exist for a reason, to resolve

disputes without bloodshed. When the Courts do not function justice is found the old-fashioned way. Cowboys still exist, and you just fucking met a real one.”

15. On December 21, 2023, LUCERO again used the email address jacksmith2376@gmail.com to send a series of emails to the New Mexico Court System at nmtix@nmcourts.gov. The following quotes are from said series of emails:
- a. “I would prefer not to use a bomb, to get revenge, but that’s my only alternative at this point- at getting an open court hearing; with full due process. (ie felony charges.)”
 - b. “Apparently since there is NO Rule of Law, in this country anymore, or at least Luna County; I can do whatever the FUCK I want to now. Since that’s how the courts apparently opperate [sic] here.”
 - c. “Concerning the AUMF,¹ use of lethal operations by DoD components against civilians (me), and my inability to leave the US Safely or Peacefully for Asylum, which concerns the State Department and Homeland Security (ie surrender;) including the refusal on the part of the US to resolve this conflict peacefully through the courts, ie exhaustion of administrative remedies. Blackstone himself says I have the right to use force. Look it up if you fuckheads apparently didn’t go to law school!”
 - d. “PS If you want to avoid a fucking fire-bombing of the Deming Police Station, Post Office, or other Government facility, WE ARE GOING TO FUCKING RESOLVE ALL OF THIS IN A COURT OF LAW. I hope we’re all 100% on the

¹ Your affiant believes this is a reference to “Authorization of Use of Military Force.”

same fucking page now.”

- e. “Because ALL I have to do, is place a package, with a delay timer into any post office mail slot, any time, any place --- and wreak bloody fucking havoc and ruin everyone’s fucking day. Even three years from now after you release me. The Earth Liberation Front, whom HSI should be able to confirm I’m associated with are EXPERTS IN SHIT LIKE THAT. I got trained in the 1990’s, and personally knew Tre Arrow who caused \$22 million fucking dollars worth of damage to equipment, or [J.F] who torched an entire fucking car lot. I can’t fucking wait for you to give me another reason.”

16. On Saturday, January 20, 2024, LUCERO sent an email from jacksmith2376@gmail.com to New Mexico Courts via nmtix@nmcourts.gov, and the Luna County District Attorney’s Office via lunaincoming@da.state.nm.us pertaining to a request for a new lawyer. The following is a quote from that email:

- a. “We have been developing capacities, and publishing information on development of organophosphate toxins³, such as Sarin (Isopropyl methylphosphonofluoridate) gas, in addition to high-energy explosives such as RDX (cyclonite). Specifically regarding nitrating amines (RDX) by use of Nitric Acid & [Household Detergents], eg.”
- b. “And no, I’m not fucking kidding. If I am not allowed to leave this country; and access to competent legal counsel I will continue to develop chemical weapons, and high explosives. More importantly I’m sharing that information globally with gang members etc. So even if I go to jail, the threat will still persist; because I have a college background and know how to put this stuff together, they don’t.”

- c. "So I AM a danger, in the context that I've been getting raped my whole life, have no way to escape, and don't want to be here; in short a hostage of the US Government.

If the only question is if I'm competent, then yes I am competent. If I can build a fucking bomb, then I'm intelligent enough to take responsibility for my actions which is exactly what I'm doing now."

- d. "I HATE AMERICANS. I DO NOT WANT TO BE HERE. PERIOD. THERE'S NOTHING ELSE TO DISCUSS."

17. Your affiant spoke to employees with New Mexico Courts who received the e-mails referenced above and those individuals relayed to me they did feel the messages contained threats against them. They were concerned by the content of the messages and promptly notified law enforcement each time the e-mails were received.

18. My investigation has revealed that the New Mexico Courts use Google to service their e-mail systems. Based on my training and experience, I know there are no Google servers in the state of New Mexico. Accordingly, communications that are received via e-mail by the New Mexico Court system have to travel in interstate commerce prior to being received by the e-mail address via nmtix@nmcourts.gov.

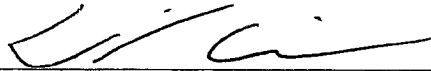
19. 18 U.S.C. § 875(c) makes it a crime for anyone to transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another.

Conclusion

20. Based on the aforementioned facts, I submit that probable cause exists to believe that Chloe Anneliese LUCERO violated 18 U.S.C. § 875(c) which makes it a crime for anyone to


transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another.

Respectfully submitted,



David Wayne Aucoin
FBI Special Agent

VIA TELEPHONE
Subscribed and sworn to before me on 1/23/, 2024:



The Honorable Gregory J. Fouratt
United States Magistrate Judge